



PUBLIC NOTICE

Federal Communications Commission
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DA 08-28
Released: January 3, 2008

**COMMENTS INVITED ON APPLICATION OF LEVEL 3 COMMUNICATIONS, LLC
ON BEHALF OF BROADWING COMMUNICATIONS, LLC TO DISCONTINUE
DOMESTIC TELECOMMUNICATIONS SERVICES**

WC Docket No. 07-298
Comp. Pol. File No. 849

Comments Due: January 18, 2008

Section 214 Application

Applicant: Level 3 Communications, LLC on behalf of Broadwing Communications, LLC

On **October 31, 2007**, **Level 3 Communications, LLC** (Level 3 or Applicant) filed an application with the Federal Communications Commission (Commission) on behalf of **Broadwing Communications, LLC** (Broadwing), located at **1025 Eldorado Boulevard, Broomfield, Colorado 80021**, requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services in Wisconsin. By amendment letters filed December 7, 2007 and December 31, 2007, Level 3 corrected certain deficiencies in the initial application. Accordingly, Level 3's application on behalf of Broadwing is deemed complete as of December 31, 2007.

Level 3 states that it is Broadwing's corporate parent, and that Broadwing currently offers domestic interexchange/long distance services in Wisconsin. Level 3 indicates, however, that it is making an overall effort to streamline its operations and services, and that Broadwing consequently plans to discontinue these services to approximately 1,400 customers located in Wisconsin on February 4, 2008, or as soon thereafter as the necessary state and federal approval can be obtained. Level 3 maintains that the proposed discontinuance, while regrettable, is necessary to complete the change in business focus of the Level 3 companies, and that the services being discontinued are readily available from other carriers. Level 3 represents that Broadwing notified affected customers of the proposed discontinuance by mail on October 30, 2007, and that it notified all affected customers in accordance with the Commission's rules as of December 29, 2007. Finally, Level 3 asserts that Broadwing is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, Level 3's application on behalf of Broadwing will be deemed to be granted automatically on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies Level 3 that the grant will not be automatically effective. In Level 3's application, Level 3 indicates that Broadwing anticipates discontinuing service on

or after February 4, 2008. Accordingly, pursuant to section 63.71(c) and the terms of Level 3's application, absent further Commission action, Broadwing may terminate service to affected customers in Wisconsin on or after **February 4, 2008**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **January 18, 2008**. Such comments should refer to **WC Docket No. 07-298 and Comp. Pol. File No. 849**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people

with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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